

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of JOSEPH R. WYATT and U.S. POSTAL SERVICE,
POST OFFICE, Bakersfield, Calif.

*Docket No. 97-374; Submitted on the Record;
Issued October 8, 1998*

DECISION and ORDER

Before GEORGE E. RIVERS, DAVID S. GERSON,
A. PETER KANJORSKI

The issues are: (1) whether the Office of Workers' Compensation Programs properly found that an overpayment of \$1,202.88 existed; (2) whether the Office properly found that appellant was without fault in the creation of the overpayment; and (3) whether the Office set an appropriate repayment schedule from appellant's continuing compensation benefits in which to recover the overpayment of compensation.

The Board has given careful consideration to the issues involved, the contentions on appeal and the entire case record. The Board finds that the decision of the Office hearing representative dated August 16, 1995 is in accordance with the facts and law in this case and hereby adopts the findings and conclusions of the hearing representative.

The decision of the Office of Workers' Compensation Programs dated August 16, 1995 is affirmed.

Dated, Washington, D.C.
October 8, 1998

George E. Rivers
Member

David S. Gerson
Member

A. Peter Kanjorski
Alternate Member